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Attorneys for Mr. Jose Raymundo Contreras-Hernandez

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
**(HONORABLE JOHN A. HOUSTON)**

UNITED STATES OF AMERICA, ) CASE NO.: 07CR3190-JAH  
Plaintiff, ) DATE: JANUARY 14, 2007  
v. ) TIME: 8:30 A.M.  
JOSE RAYMUNDO CONTRERAS- )  
HERNANDEZ )  
Defendant. )  

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NOTICE OF MOTIONS AND MOTIONS TO:  
1) COMPEL DISCOVERY AND  
PRESERVE EVIDENCE;  
2) DISMISS INDICTMENT FOR FAILURE  
TO ALLEGE ESSENTIAL ELEMENTS  
OF THE OFFENSE;  
3) SUPPRESS ANY STATEMENTS  
MADE BY MR. CONTRERAS-  
HERNANDEZ; AND,  
4) GRANT LEAVE TO FILE FURTHER  
MOTIONS.

TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND  
PETER MAZZA, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on January 14, 2007, at 8:30 a.m., or as soon thereafter as counsel may be heard, defendant, Jose Raymundo Contreras-Hernandez, by and through his attorneys, Candis Mitchell and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

## **MOTIONS**

Defendant, Eduardo Fernandez-Serrano, by and through his attorneys, Candis Mitchell and Federal  
Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules  
of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

- (1) Compel Discovery and Preserve Evidence;
  - (2) Dismiss Indictment for Failure to Allege Essential Elements of the Offense;
  - (3) Suppress any Statements Made by Mr. Contreras-Hernandez; and
  - (4) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: December 18, 2007

s/ Candis Mitchell  
**CANDIS MITCHELL**  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Raymundo Contreras-Hernandez  
Candis\_Mitchell@fd.org